



Attorney's Docket No.: 06497-013002

1652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James C. Liao
Serial No. : 10/048,186
Filed : June 19, 2002
Title : ENGINEERING OF METABOLIC CONTROL

Art Unit : 1652
Examiner : Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 22 2003

TRANSMITTAL LETTER

TECH CENTER 1600/2900

Enclosed are:

1. Supplemental Information Disclosure Statement and PTO-1449 Form.
2. Copy of a Declaration of Dr. James C. Liao, as filed in USSN 09/626,612. The certificate of mailing on this declaration was dated by Dr. Liao on the date that he mailed the declaration to his counsel, not to the Commissioner for Patents. With respect to the above-captioned case, a copy of this declaration is being mailed to the Commissioner for Patents on the date listed on the certificate of mailing of this transmittal letter, shown below.

Please apply any charges to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 5-16-03

Y. Rocky Tsao
Y. Rocky Tsao
Reg. No. 34,053

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20626555.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit 5/16/03

Signature Cassandra Beepot

Typed or Printed Name of Person Signing Certificate Cassandra Beepot



Attorney's Docket No.: 06497-013001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James C. Liao
Serial No. : 09/626,612
Filed : July 27, 2000
Title : ENGINEERING OF METABOLIC CONTROL

Art Unit : 1652
Examiner : Rebecca E. Prouty, Ph.D.

RECEIVED

Commissioner for Patents
Washington, D.C. 20231

MAY 22 2003

DECLARATION OF DR. JAMES C. LIAO UNDER 37 C.F.R. 1.132

TECH CENTER 1600/2900

I, James C. Liao, a citizen of the United States, residing in Los Angeles CA, hereby declare:

1. I am a professor in the Department of Chemical Engineering at the University of California, Los Angeles. I received my Ph.D. from the University of Wisconsin-Madison in 1987. My professorial responsibilities include directing a research program in metabolic engineering and supervising graduate student research.
2. I am the inventor of the subject matter which is claimed in the above-referenced United States patent application. I have read and understand the patent application. I am familiar with the application's present claims.
3. I am a co-author of the reference "Improving lycopene production in *Escherichia coli* by engineering metabolic control," *Nature Biotechnology* Vol:18, page 533-537, dated May 2000. The other author of this reference is William R. Farmer, a graduate student in my laboratory in May 2000. William R. Farmer conducted a number of the experiments described in this publication under my direction and supervision. He did not have any input in the design of the invention as presently claimed in the above-reference United States patent application.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

3/3/03

Date of Deposit

Signature

J. C. Liao

Typed or Printed Name of Person Signing Certificate

Applicant : James C. Liao
Serial No. : 09/626,612
Filed : July 27, 2000
Page : 2

Attorney's Docket No.: 06497-013001

4. I am familiar with the short caption "Feedback regulation in metabolic engineering" by "JJ", *Nature Biotechnology*, Vol. 18, page 480, dated May 2000. This caption, which appeared in the same issue of *Nature Biotechnology* as the "Improving lycopene production in *Escherichia coli* by engineering metabolic control" article, is a short summary of the article and is entirely derived therefrom. ?
5. All statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



James C. Liao, Ph.D.

3/3/2003

Date